



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3406 FAX (603) 271-7894



May 14, 2003
Letter of Deficiency
DSP #03-037

Mr. Kenneth Brown
Abramson, Reis, Brown & Dugan
1819 Elm Street
Manchester, NH 03104-2910

RE: Brown Recreation Pond Dam #168.13, Newbury

Dear Mr. Brown:

The Department of Environmental Services, Dam Bureau (DES) consistently strives to enhance the safety of dams in New Hampshire through its dam safety program. One of the many instruments that play a part in reaching this goal is our inspection program. DES is forwarding this correspondence to you to advise you that in accordance with RSA 482:12 and Env-Wr 502.02, an inspection of the subject dam was conducted on April 10, 2003. During this visual inspection and/or file review, the following deficiencies were observed:

- The upstream and downstream faces and crest of the dam were uneven and overgrown with brush and trees;
- 2 The upstream face of the dam has been canalized by rodent activity;
 3. The discharge end of the low level outlet was submerged. The interior condition of the CMP could not be assessed;
 4. The concrete drop inlet wing walls were cracked and structurally separated from the main box structure;
 5. The breached area at the far right end of the dam was obstructed with a 4.5' high beaver dam. With the beaver dam in place, the breached area cannot pass the design storm event without impounding water; and
 6. There is no operation and maintenance plan (O&M) on file with the DES.

DES believes that the above deficiencies can be corrected by performing the following items by the indicated schedule:

July 1, 2003:

1. Remove the beaver dam in the naturally breached area at the far right end of the dam and maintain in an open, breached condition. This work may require a NHDES Wetland Bureau permit if performed with machinery;

OR

Letter of Deficiency
Dam #168.13/DSP #03-037
May 14, 2003
pg. 2

November 30, 2003:

2. Reconstruct the breached area at the far right end of the dam. This work will require a reconstruction permit from the DES Dam Bureau and a DES wetlands permit;
3. Remove brush and trees from the upstream and downstream faces and crest of the dam;
4. Regrade the crest and slopes of the embankment to a level condition and revegetate the entire structure;
5. Expose the discharge end of the low level outlet that is submerged. Notify this office so that the interior condition of the CMP outlet can be assessed. Replacement or lining may be necessary;
6. Repair the structural cracking at the intersection of the concrete wing walls with the concrete box; and
7. Submit an O&M plan to DES for review. It is recommended that the normal pool elevation of the impoundment be kept at a minimum of 4' below the top of the dam to allow for storm flows to pass through the outlets without overtopping the dam.

DES is requesting that you complete and submit the attached "Intent to Complete Repairs" form, within 30 days of receipt of this letter, that will provide for correction of the identified deficiencies by the date(s) indicated above. Please call or write to our office if the repairs are completed ahead of the aforementioned schedule so that DES may schedule a follow-up inspection. Unless notified otherwise, DES will conduct the follow-up inspection on or after the date(s) indicated above. If you believe changes to the items of work or dates are necessary, please make the changes directly on the form and provide a brief explanation. Please call or write to our office if the repairs are completed before the aforementioned schedule. We have enclosed a self addressed stamped envelope for you to return this form.

Our intent in sending you this correspondence is to make you aware of items that DES believes warrant your attention to insure the continued safe operation of your dam. It is our hope that, through the submittal of the attached form and a commitment to keeping a well-maintained dam, you will voluntarily comply with the requested items of work. If we do not receive the intent form or a similarly adequate written reply, we will assume that you are in agreement with our findings and recommendations and DES will carry out follow-up inspections accordingly.

If you have any questions or comments regarding this Letter of Deficiency or would like to be present at future inspections, please contact me at 271-3406, or write to the Water Division at the address listed on the top of the previous page.

Sincerely,
COPY
Grace E. Levergood, P.E.
Dam Safety Engineer

Attachments Guideline for an O&M plan, DB8, DB13

cc: Gretchen Rule ✓

Town of Newbury

Certified # 7000 1670 0000 0586 2077

GEL/was/h:/safety/wendy/lod/168-13lod.doc



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-3406 FAX (603) 271-7894



Department of Environmental Services
State Dam Safety Program
Water Division, Dam Bureau
6 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Intent to Complete Repairs
DAM #168.13/DSP #03-037
DAM Brown Recreation Pond Dam

RE: Letter of Deficiency: Issued on May 14, 2003

Dear Dam Safety Program:

In response to the above referenced Letter of Deficiency (LOD), I concur with the Department of Environmental Service's recommendations, and specifically agree to complete the following items by the indicated schedule.

DATE: July 1, 2003

1. Remove the beaver dam in the naturally breached area at the far right end of the dam and maintain in an open, breached condition. This work may require a NHDES Wetland Bureau permit if performed with machinery;

OR

DATE: November 30, 2003

2. Reconstruct the breached area at the far right end of the dam. This work will require a reconstruction permit from the DES Dam Bureau and a DES wetlands permit;
3. Remove brush and trees from the upstream and downstream faces and crest of the dam;
4. Regrade the crest and slopes of the embankment to a level condition and revegetate the entire structure;
5. Expose the discharge end of the low level outlet that is submerged. Notify this office so that the interior condition of the CMP outlet can be assessed. Replacement or lining may be necessary;
6. Repair the structural cracking at the intersection of the concrete wing walls with the concrete box; and
7. Submit an O&M plan to DES for review. It is recommended that the normal pool elevation of the impoundment be kept at a minimum of 4' below the top of the dam to allow for storm flows to pass through the outlets without overtopping the dam.

In lieu of the above, you may propose adjustments to the content or schedule associated with the requested repairs/work. (please state reasons for proposal and use reverse side if more space is needed).

Signature of Owner: _____

_____(print name)
Date: _____ ENG: GEL